

AN ORDINANCE **97677**

**APPROVING FIELD ALTERATION NO. 12 IN THE AMOUNT OF \$43,319.79 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND 1994 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS AND FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$28,578.36 IN SAN ANTONIO WATER SYSTEM (SAWS) FUNDS FOR A TOTAL AMOUNT OF \$71,898.15 PAYABLE TO E-Z BEL CONSTRUCTION, LTD. IN CONNECTION WITH THE FULTON AVENUE FROM BLANCO TO N. FLORES PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, by Ordinance No. 95079, passed and approved on December 20, 2001, a contract was awarded to E-Z Bel Construction, Ltd. for performance of the Fulton Avenue from Blanco to N. Flores Project; and

**WHEREAS**, in connection with said Project, additional field alterations are required; and

**WHEREAS**, funds for Field Alteration No. 12 exist from the Community Development Block Grant (CDBG) and the 1999 General Obligation Drainage Improvement Bond and funds for Field Alteration No. 5 exist from San Antonio Water System (SAWS); and

**WHEREAS**, Field Alteration No. 12 provides for down time of equipment due to utility conflicts with City Public Service (CPS) gas lines resulting from an omission of an 8" sanitary sewer main on the plans prepared by the consulting engineer in which the City is seeking reimbursement, and Field Alteration No. 5 provides for delay costs associated with the sanitary main sewer conflict; and

**WHEREAS**, performance of Field Alteration No. 12 and Field Alteration No. 5 is desired for immediate commencement; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager or her designee, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, or the Director of Public Works is hereby authorized to execute Field Alteration No. 12 in the amount of \$43,319.79 and Field Alteration No. 5 in the amount of \$28,578.36 for an overall total of \$71,898.15 to the contract with E-Z Bel Construction, Ltd., said contract passed and approved by the City Council on December 20, 2001, pursuant to Ordinance No. 95079. These field alterations, copies of which are affixed hereto and incorporated by reference herein as Attachment I, will enable performance of the Fulton Avenue from Blanco to N. Flores Project and is necessary for provision of the work items above described.

**SECTION 2.** The budget of Project No. 26-013364 is hereby authorized to be revised by transferring \$71,898.15 from Index No. 432716, Construction Contingency to Index No. 432609, Construction Contract.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and Funds Numbers as necessary to carry out the purpose of this Ordinance.

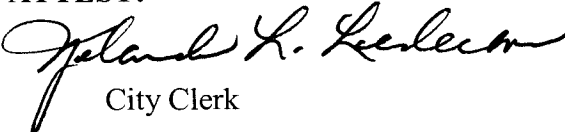
**SECTION 4.** The amount of \$71,898.15 is hereby authorized for payment and encumbrance to E-Z Bel Construction, Ltd. from Project No. 26-013364, Index No. 432609.

**SECTION 5.** This ordinance shall be effective on and after the tenth (10th) day after passage hereof.


**PASSED AND APPROVED** this 29<sup>th</sup> day of May, 2003.

  
M A Y O R  
EDWARD D. GARZA

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**

  
City Attorney